

**BOROUGH OF MOUNT ARLINGTON
COUNCIL MEETING MINUTES
OCTOBER 5, 2021
7:00 PM**

The Regular Meeting of the Borough Council of the Borough of Mount Arlington was held on Tuesday, October 5, 2021. This meeting was held in-person at the Municipal Building at 419 Howard Boulevard, Mount Arlington, New Jersey and commenced at 7:00PM.

Mayor Stanzilis stated “adequate notice of this meeting of the Mayor and Borough Council of the Borough of Mount Arlington was given as required by the Open Public Meetings Act as follows: Notice was published in the Daily Record and the Roxbury Register on January 12, 2021 and posted on the bulletin board in the main hallway of the Borough Municipal Building, on January 6, 2021; notice of this meeting is on file in the Office of the Borough Clerk. In accordance with the Open Public Meeting Act (N.J.S.A. 10:4-1 et seq.), the Borough Council opens every public meeting for comments of the public. However, in accordance with N.J.S.A. 10:4-12: ‘Nothing in this Act shall be construed to limit the discretion of a public body to permit, prohibit or regulate the active participation at any meeting.’ Speakers at Borough meetings shall have five minutes to present their comments to the Borough Council so as not to consume time that would otherwise be allotted to other persons who wish to speak.”

The Mayor led everyone in the Pledge of Allegiance. He asked everyone to observe a moment of silence to reflect on the servicemen and women who protect our freedoms around the globe.

Roll Call was taken for attendance:

Present: Councilman Loughridge, Council President Delaney, Councilman Cangiano, Councilwoman Galate and Mayor Stanzilis

- Councilwoman Fostle arrived at 7:24pm

Absent: Councilwoman Farris

Present from Administration: Administrator/CFO Ms. Rinaldi, Police Chief LaBruno, Borough Attorney Mr. Jessup, Borough Engineers Mr. Puszcz and Mr. Clark.

Presentations:

Colleen Lyons, Lake Hopatcong Commission Administrator Monthly Report:

- The weed harvesting program had not yet begun. They were focused on getting things off the ground for 2022.
- Regarding testing for harmful algal blooms (HABs) in Lake Hopatcong, Princeton Hydro reported a reduction in the June mean total phosphorus concentrations in the lake by over 50% compared to 2019. Ms. Lyons credited these positive results to the many steps taken by the local municipalities, State, County, Lake Hopatcong Commission and Lake Hopatcong Foundation, marking a period of unparalleled cooperation in working toward improving water quality and preventing HAB outbreaks.
- The NJDEP responded to 26 suspected HAB reports from May through August 2021. Of those, this resulted in 1 Advisory, 3 Watches and no beach closings.

- NJDEP awarded more than \$1.3 million in grants for projects to prevent HABs and address stormwater-related issues on Lake Hopatcong.
- The National Fish and Wildlife Foundation (NFWF) Grant was awarded to the Lake Hopatcong Commission.
- NJDEP had been conducting weekly flyovers and provided four continuous monitoring buoys to monitor the lake for HABs. Two of these buoys were damaged. Per the DEP's request, the Commission would be asking the municipalities next season to put out a public announcement so residents knew where the buoys were located and to look out for them.
- In the next month there would be an announcement of funding for the 319 Grant. There were currently no projects identified for Mount Arlington. The Lake Hopatcong Commission would be happy to work with Mount Arlington to identify projects for the 319 Grant which would be stormwater projects in the municipality.
- Governor Murphy signed legislation that would be providing \$10 million in funding for lakes in New Jersey. The DEP would be responsible for administering these funds which would likely go towards lake management, stormwater management and possibly weed harvesting and HABs management.

Mayor Stanzilis asked how the \$10 million to New Jersey lakes would ultimately benefit Mount Arlington. Ms. Lyons replied Princeton Hydro was currently conducting a survey Lake Hopatcong to determine what projects would best combat HABs in the lake. Funding would be sought for these projects.

There was group discussion around various lake treatment options and their effectiveness such as Alum, smaller aeration units and Biochar.

Mayor Stanzilis stated that the Borough would be very interested in working with the Lake Hopatcong Commission to secure as much of the \$10 million as possible; not only for lake projects, but for stormwater management and raingarden maintenance. Ms. Lyons added she had been told by the DEP and local senators that the Lake Hopatcong Commission would compete very well against other lake groups around New Jersey.

Melissa Eckert, Board of Education Liaison Monthly Report - Ms. Eckert was not present.

Appointments - None

Finance, Tax and Utility Reports - None

Approval of Minutes

September 7, 2021 - Regular Council Meeting

Motion to Approve: Council President Delaney

Second: Councilman Loughridge

Council Discussion: None

Roll Call was taken.

Roll:

Aye: Loughridge, Council President Delaney

Opposed: None

Abstain: Cangiano, Galate
Motion Approved

Mayor's Report

Mayor Stanzilis reported the Lake Hopatcong Foundation had their annual Block Party this past Saturday; it was an outstanding event. The Fire Department recently held a fundraiser with a live band which was also a success. The Mayor and Council recently went on a Borough asset tour; it was great to see where everything was. The Mayor attended a memorial for Curtis Mulch, a Roxbury resident who died last year while operating a weed harvester on Lake Hopatcong. They dedicated an area in Lees Park to him. The case was still under investigation. The Mayor and Lake Hopatcong Foundation recently led a kayaking tour of Lake Hopatcong; it was a lot of fun. The Morris County League of Municipalities recently held their quarterly meeting at the Lake Hopatcong Yacht Club. The Mayor recently spoke at the New Jersey League of Conservation Voters event as a subject matter expert on stormwater management. Christine Todd Whitman was the introductory speaker; they also did a cruise of Lake Hopatcong aboard Miss Lotta. He was doing another Mayor's Hike with Jefferson Mayor Eric Wilsusen this Saturday at 10:00AM around Liffy Island. It would be about an hour hike.

Borough Administrator's Report

Ms. Rinaldi thanked everyone, especially the Police Department, for helping during the Block Party. It was great to see the Police Officers interacting with so many young children at the event. Ms. Rinaldi reported the Logan Way restoration project was underway, starting with some trees being removed this week. The construction portion of the project would not be commencing until the week of October 11th. Ms. Rinaldi reported there were some trees in Memorial Park that needed to be removed, including the former Christmas Tree. The DPW was looking into options to replace and improve what was there. Ms. Rinaldi would be providing the Council with some ideas in the near future, as well as for the annual Tree Lighting Ceremony. The Finance Committee recently met and discussed upcoming capital projects including security cameras throughout the municipality. She thanked Chief LaBruno for his help. There would most likely be more information to share at the next Council Meeting. The Borough was looking at a new Shared Service agreement for animal control services. Hopatcong would be the lead agency with Wharton, Byram, Mount Arlington and Stanhope participating. The new contract would go into effect for January 1, 2022.

7:24PM Councilwoman Fostle joined the meeting.

Chief of Police Report

Chief LaBruno reported the Mount Arlington Police Department recently joined several Sussex and Morris County towns to raise funds in support of Lieutenant Monaco of the Newton Police Department who was fighting pancreatic cancer. The funds raised were going to Lieutenant Monaco's fundraiser of choice, Purple Pansies. All funds raised would be matched by the Police Union. The Police Officers would be wearing pink badges in October in honor of Breast Cancer Awareness Month. Last month, Chief LaBruno attended the NJ State Chiefs of Police Training Conference in Atlantic City. The Borough's free Summer Concert at the end of August was a great time. The Tunnel to Towers Parade in Morristown was an excellent event. Chief LaBruno had the pleasure of meeting Frank Siller, Tunnel to Towers founder, whose younger brother Stephen died on 9/11. Chief LaBruno attended the 9/11 County Memorial where the names of

Morris County victims were read aloud. The Lake Hopatcong Block Party went great; the Police Department gave out lots of challenge coins. The FOP Golf Outing was scheduled for October 15th at Berkshire Valley. The Police Department would be present for the Trunk or Treat on October 23rd. A few new police department vehicles, which had been on order for the past year, finally arrived.

Council Committee Reports

Councilman Loughridge

Councilman Loughridge reported that Tee Ball and Soccer were concluding soon. There would be a Community Cleanup on November 6th. There was an upcoming Trick or Wreath event where you could make a Halloween-themed wreath. Chair Yoga was every Friday at 10:00AM at the Municipal Building. The Seniors recently held their first two in-person meetings since before the COVID-19 pandemic. Mayor Stanzilis spoke at the first Seniors meeting and a representative from Medicare spoke at last week's meeting.

Mayor Stanzilis added it was amazing to see the energy at the Seniors meeting.

Councilwoman Galate

Councilwoman Galate thanked the Fire Department, Police Department and the Elks for all of their community support. Regarding the Board of Education, all schools, sports and activities were back to in-person. Schools were observing a 3-foot social distancing rule. There was still some anger within the community due to the COVID-19 pandemic. Superintendent Ms. Roland and the Board of Education were doing amazing work with what they had to work with.

Councilwoman Fostle

Councilwoman Fostle reported Aesthetics Ordinance 14-2021 was on the agenda for Introduction. She recognized Mr. David Karpman in attendance, along with Councilwoman Galate and Borough Planner Ms. Caldwell, for their collaboration on this Ordinance. She was very pleased and felt this was what the Borough was looking for, as a community, moving forward. It was perfect timing with all of the redevelopment projects. As the town developed further it would take on a certain look and character.

Mayor Stanzilis commended Councilwoman Fostle, Mr. Karpman, Councilwoman Galate and everyone else involved with this Ordinance. The historic color scheme, signs and other facades would tie the entire town together very nicely.

Councilman Cangiano

Councilman Cangiano stated the timing was fantastic for Aesthetics Ordinance 14-2021 with all of the redevelopment projects going on. He recently went on the Borough asset tour with Administrator Rinaldi, DPW and other Council members. It was good to get a holistic look of what was going on in different locations around town. Two recent massive rain storms caused a huge amount of sediment and silt to flow down from the Roxbury Village housing development construction site, through the wetlands and into Lake Rogerene. Mount Arlington, Roxbury Township and the Morris Count Soil Conservation District all jumped into action. They met last week on September 27th and measures were being implemented for diversion berms and hopefully sediment basins. Regarding the Water and Sewer Committee, the Borough and CP Engineers were

continuing to move forward with the Windemere 2 water main extension project. It was currently in the design phase and process of securing State IBank funding.

Council President Delaney

Council President Delaney reported the Community Garden was closed for the season; it was a good year. The Block Party was a great success. The Borough asset tour was very good; things had certainly changed since the last asset tour held years ago.

Councilwoman Galate recommended that grant opportunities be looked at in conjunction with Borough projects. Mayor Stanzilis agreed and added it would only benefit the community and bear no additional tax costs on residents.

Public Comment

Joe Rutkoski, 503 Windemere Avenue – Mr. Rutkoski stated he came to tonight’s meeting to inquire about the new water lines coming to Windemere Avenue. He asked who would be responsible for running water lines down to each house, as well as the timeline to connect to water.

Councilman Cangiano replied it would be the responsibility of each individual homeowner. The timing of the project depended on the I-Bank funding. While he expected a notice to go out to residents in early 2022, construction would not commence until Summer or Fall of 2022 at the earliest.

Ms. Rinaldi added, once the water lines were installed, the Borough would send a written notification to residents. After receipt of the letter, they would have six months to connect. Water hookups would most likely not happen until 2023.

Mr. Puszcz specified the owner’s responsibility would be from the curb box to the house.

Ordinance – Introduction

12-2021 An Ordinance of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Adoption of Revised Chapter 191, Food Handling Fees

The Mayor opened the Hearing to the Public and read Ordinance 12-2021 by Title.

There was no public comment.

The Mayor closed the Hearing to the Public.

Motion: Councilman Cangiano stated: “I make the motion that Ordinance 12-2021 be introduced, and will be further considered after a public hearing held on November 9, 2021 at the Municipal Building at 7:00PM.”

Second: Councilwoman Galate

There was no Council discussion.

Roll Call:

Aye: Loughridge, Cangiano, Fostle, Galate, Council President Delaney

Opposed: None
Abstain: None
Motion Approved

13-2021 An Ordinance of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing the Creation of an Economic Development Advisory Committee

The Mayor opened the Hearing to the Public and read Ordinance 13-2021 by Title.

There was no public comment.

The Mayor closed the Hearing to the Public.

Motion: Councilman Cangiano stated: "I make the motion that Ordinance 13-2021 be introduced, and will be further considered after a public hearing held on November 9, 2021 at the Municipal Building at 7:00PM."

Second: Councilwoman Galate

Council discussion: Councilman Cangiano commented it was an excellent motion, for an excellent Committee, which he knew was near and dear to the Mayor's heart.

Mayor Stanzilis replied it was near and dear to his heart because, due to all of the redevelopment activity going on in the Borough, this Committee would be critical to the future health of this town.

Roll Call:

Aye: Loughridge, Cangiano, Fostle, Galate, Council President Delaney

Opposed: None

Abstain: None

Motion Approved

14-2021 An Ordinance of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Adoption of Revised Chapter 17, Article VII Design Standards for Development, to Create Aesthetic Design Standards Applicable to All Site Plan Applications

The Mayor opened the Hearing to the Public and read Ordinance 14-2021 by Title.

There was no public comment.

The Mayor closed the Hearing to the Public.

Motion: Councilwoman Fostle stated: "I make the motion that Ordinance 14-2021 be introduced, and will be further considered after a public hearing held on November 9, 2021 at the Municipal Building at 7:00PM."

Second: Council President Delaney

Council discussion: Councilman Cangiano questioned if this Aesthetics Ordinance was applicable to single family housing and office buildings. Councilwoman Fostle replied it was recommended,

but not required. She believed it would not create an onus on anyone; it was very flexible. If there were a case where it was too difficult to adhere to the aesthetic design standards, an applicant could ask for a design waiver, which would go before the Land Use Board and be reviewed by the Borough Planner for compliance.

Councilman Cangiano recommended that Borough Planner Ms. Caldwell look into the wording in this Ordinance regarding office buildings.

Ms. Rinaldi added that Ms. Caldwell would be present for the Public Hearing on November 9th.

Mayor Stanzilis stated it was a fantastic Ordinance. It was also great having two civil engineers on the Council.

Roll Call:

Aye: Loughridge, Cangiano, Fostle, Galate, Council President Delaney

Opposed: None

Abstain: None

Motion Approved

Ordinance – Second Reading

None

Resolutions – All Vote by Consent

2021-100 A Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, State of New Jersey, Approving the Check Register Dated October 5, 2021

2021-101 A Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, State of New Jersey, Authorizing Disposal of a 2005 Chevrolet Malibu Police Vehicle Pursuant to N.J.S.A. 40A:11-36

2021-102 A Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, State of New Jersey, Authorizing the Execution of a Contract Between Garda CL Atlantic, Inc. and the Borough of Mount Arlington

2021-103 A Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, State of New Jersey, to Redeem a Third-Party Tax Lien Certificate of Sale# 15-00045 for Property Known as Block 114 Lot 7

2021-105 A Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, State of New Jersey, Authorizing the Solicitation of Qualifications for Professional Services Pursuant to N.J.S.A. 19:44A-20.4, 20.5 Et Seq. Pursuant to a “Fair and Open” Process

Motion to Approve: Councilwoman Galate

Second: Council President Delaney

Council Discussion: None

Roll Call was taken.

Roll Call:

Aye: Loughridge, Cangiano, Fostle, Galate, Council President Delaney

Opposed: None

Abstain: None

Motion Approved

Resolution

2021-104 A Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, State of New Jersey, Authorizing and Consenting to the Sale of Mt. Arlington I Solar, LLC To a Subsidiary Owned By Greenbacker Renewable Energy Company, LLC; (B) Authorizing and Consenting to a Financing Investment Therein by a Subsidiary Owned by Morgan Stanley Renewables, Inc., and Other Associated Lender Loans Contemplated Therewith; and, (C) Authorizing the Execution of an Estoppel Agreement, Memorandum of Lease and Other Documentation Reasonably Necessary to Effectuate the Same

Motion to Approve: Councilwoman Galate

Second: Councilwoman Fostle

Council Discussion: Mr. Jessup provided an overview of Resolution 2021-104. HESP Solar had gotten its Solar PV project to near completion through its project company, Mount Arlington Solar I. Now, before it was officially completed, it wanted to transfer 100% of its ownership interest in Mount Arlington Solar I to an entity called Greenbacker Renewable Energy Company, LLC, which was a solar investment company and owner of over \$1 billion worth of solar PV assets all over the world. Morgan Stanley would be handling the financing of the operation and would reap the tax benefits. Mr. Jessup stated this was pretty common in the solar PV industry.

The Borough's key concern was whether or not Greenbacker was capable of owning, operating, and maintaining a PV facility for 15 years. Everyone involved had agreed, including HESP, that Greenbacker would be better as an owner due to the fact that they were a larger company with more resources.

HESP agreed to stay on as the Borough's energy agent for as long as it took for Greenbacker to sub out that work to somebody who, in the Borough's sole discretion, was comfortable with.

This Resolution would memorialize and authorize everything.

Mayor Stanzilis asked what was the hidden pitfall, if any.

Mr. Jessup replied solar developers had to own a solar PV for at least five years. Although not guaranteed, Greenbacker was more likely than HESP to keep it in their portfolio for the full 15 years. Greenbacker would still be fully responsible to meet every obligation of the project company, Mount Arlington Solar I.

Roll Call was taken.

Roll Call:

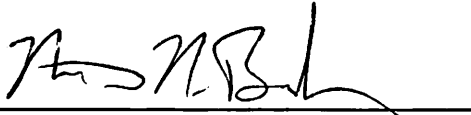
Aye: Loughridge, Cangiano, Fostle, Galate, Council President Delaney

Opposed: None
Abstain: None
Motion Approved

Adjourn

Motion to Adjourn: Council President Delaney
Second: Councilwoman Galate
Roll Call:
All in Favor: Aye
Opposed: None
Motion Approved

The meeting adjourned at 8:12PM.

A handwritten signature in black ink, appearing to read 'M. N. Bansch', written over a horizontal line.

Matthew N. Bansch, Borough Clerk